



A just world for all women and girls

STATEMENT BY EQUALITY NOW

ON AGENDA ITEM 7 OF THE 85TH ORDINARY SESSION OF THE ACHPR

(Observer Status No. 281)

Honourable Janet Ramatoulie Sallah-Njie, Vice Chairperson of the Commission & Special Rapporteur on the Rights of Women in Africa, All Protocol Observed:

Equality Now commends your mandate for the excellent work done during the inter-sessional period, despite the many difficulties and controversies surrounding women's rights in Africa.

1. Ratification of the Maputo Protocol by the Central African Republic

Equality Now celebrates the Central African Republic (CAR) for its [ratification](#) of the Maputo Protocol in July 2025. This follows continued efforts by your mandate, Equality Now, the Solidarity for African Women's Rights Coalition (SOAWR), the African Union Women, Gender, Development and Youth Directorate (WGDY) and other actors to advocate for the ratification. CAR has become the [46th AU Member State](#) to ratify the Maputo Protocol, indicating that despite the current conflict and [worsening insecurity](#), the Government remains committed to promoting and protecting the rights and freedoms of women and girls in the country. **We call upon your mandate to support the Government of the Central African Republic to effectively domesticate, implement and popularise the Maputo Protocol, to ensure the rights and freedoms enshrined within its text are translated into reality for the women and girls in the country.**

2. Concerns on the Reservations to the Maputo Protocol by 9 Member States

Equality Now remains concerned about the [reservations](#) to various provisions of the Maputo Protocol maintained by 9 AU Member States (Algeria, Cameroon, Ethiopia, Kenya, Mauritius, Namibia, the Sahrawi Arab Democratic Republic, South Africa, and Uganda). Reservations against the Protocol [constrict](#) the scope of legal protections at a time when hard-won women's rights are increasingly being undermined by

rollbacks around the world. We commend your mandate for the sustained effort in advocating for the withdrawal of reservations culminating in the [ACHPR Resolution 632](#) directing the development of a Framework for Advocacy to raise awareness for lifting Reservations on some provisions of the Maputo Protocol. We are elated that the Framework has been [published](#) for input from the public. **We call upon your mandate to continue advocating for the full implementation of the Maputo Protocol, including the withdrawal of reservations to the Maputo Protocol, and to encourage the remaining 9 AU Member States that have not yet ratified the Protocol to do so without reservations.**

3. Issues of Concern on State Reporting on Part B of the Maputo Protocol

Equality Now commends the 22 Member States that have submitted Part B reports on the Maputo Protocol. However, it is concerning that out of the 46 African State Parties to the Maputo Protocol, only 22 have so far provided Part B reports on the Maputo Protocol, contrary to the provisions of Article 62 of the African Charter on Human and Peoples' Rights as read together with Article 26 of the Maputo Protocol and the [State Reporting Procedures and Guidelines](#). **We call upon your mandate to urge the 24 Member States that have not provided an initial report on the status of implementation of the Maputo Protocol to forthwith submit the initial reports so as to make it possible to evaluate the extent of the promotion and protection of the rights of women at the national level.**

4. A Call to Expedite the Enactment of the Spousal Property Rights Bill in Ghana

The [Constitution of Ghana](#) entered into force on 7th January 1993. Article 22 of the Constitution of Ghana provides that *"A spouse shall not be deprived of a reasonable provision out of the estate of a spouse whether or not the spouse died having made a will; spouses shall have equal access to property jointly acquired during marriage, and assets which are jointly acquired during marriage shall be distributed fairly between the spouses upon dissolution of the marriage"*. It further stipulates that **"Parliament, shall, as soon as practicable after the coming into force of this Constitution, enact legislation regulating the property rights of spouses."** The Spousal Property Rights Bill has been pending before parliament for over three decades. The lack of a robust, equitable legislation regulating spousal property rights for over 30 years is a breach of the Constitution and Articles 6, 7, 20 and 21 of the Maputo Protocol. Women continue to be [subjected](#) to discrimination and destitution due to customary and religious contestations. **We urge you, in your capacity as the Special Rapporteur on the Rights of Women in Africa and the Country Rapporteur for Ghana, to call upon the Government of Ghana to immediately enact the Spousal Property Rights Bill.**

Done in Nairobi on 30th September 2025